

REMARKS

Claims 10-24 as submitted are pending. Claims 1-11 and 25-35 have been cancelled. Claims 10, 116, and 22 have been amended. Entry of these amendments is respectfully requested.

No new matter is believed to have been added by the proposed amendments. Amendments to the claims are supported by the specification of the instant application at FIGS. 1 and 2 and page 6, ll. 23-32.

Claims 10-13 are not anticipated or rendered obvious by *Mason et al.*

Claims 10-13 stand rejected under 35 U.S.C. § 102(b), as being anticipated by *Mason et al.* (US 4,886,513), or in the alternative, under 35 U.S.C. § 103 as obvious over *Mason*. This rejection has been overcome by appropriate amendment. Applicants respectfully traverse this rejection on the grounds that Applicants do not claim the apparatus of the present invention in terms only of function, property or characteristic. Therefore, the rejection under 35 U.S.C. § 103 is inappropriate.

Applicants have amended independent claim 10 to include a packaging component. As shown in Figs. 1 and 2, a packaging component refers to the portion of the system that encases the absorbent article to protect it from being soiled before use. The present invention includes an absorbent article that resists creasing when packaged in a double or tri-folded configuration. By including a packaging component and an activating member, the article not resists creasing when folded, but independently moves from a folded condition to an unfolded condition without the aid of manual force. One example of a packaging component is a water impermeable material, such as polypropylene film or nonwoven. (p. 6, ll. 25-28).

Mason et al. teaches the use of a "flexibly stiff, springy, substantially nonelastic reinforcing member that extends generally around the periphery of the pad." (col. 3, ll. 10-13). *Mason* does not teach or suggest the use of a packaging component with the use of an absorbent article. Moreover, there is nothing in *Mason* that would suggest to one of skill in the art that the disclosed pad would withstand the creasing and pressure recited by the claimed invention. There is nothing to suggest that when folded, the disclosed article of *Mason* would not form a permanent crease under recited pressure

variables. Indeed *Mason* teaches a pad that resists bending and twisting when in use, generally in the longitudinal direction. (col. 2, l. 63 – col. 3, l. 2). Therefore, in view of the current amendments and foregoing remarks, Applicants respectfully request the Examiner to withdraw the instant rejection.

Claims 10-13 are not anticipated or rendered obvious by *Rainville-Lonn et al.*

Claims 10-13 stand rejected under 35 U.S.C. § 102(e), as being anticipated by *Rainville-Lonn et al.* (US 2003/0114805 A1), or in the alternative, under 35 U.S.C. § 103 as obvious over *Rainville-Lonn*. This rejection has been overcome by appropriate amendment. Applicants respectfully traverse this rejection on the grounds that Applicants do not claim the apparatus of the present invention in terms only of function, property or characteristic. Therefore, the rejection under 35 U.S.C. § 103 is inappropriate.

Applicants have amended independent claim 10 to include a packaging component. As shown in Figs. 1 and 2, a packaging component refers to the portion of the system that encases the absorbent article to protect it from being soiled before use. The present invention includes an absorbent article that resists creasing when packaged in a double or tri-folded configuration. By including a packaging component and an activating member, the article not resists creasing when folded, but independently moves from a folded condition to an unfolded condition without the aid of manual force. One example of a packaging component is a water impermeable material, such as polypropylene film or nonwoven. (p. 6, ll. 25-28).

Rainville-Lonn teaches the use of an absorbent article with a raised peripheral wall, which is elevated to prevent the absorbent layer in the concavity of the absorbent pad from coming into contact with skin of the person (p. 1, ¶ 008). *Rainville-Lonn* does not teach or suggest the use of a packaging component with the use of an absorbent article. Moreover, there is nothing in *Rainville-Lonn* that would suggest to one of skill in the art that the disclosed pad would withstand the creasing and pressure recited by the claimed invention. Indeed, there is no teaching about the material to be used in the outer contour rib. Without knowing what material is being used in this outer rib, it is impossible for the Applicants or anyone skilled in the art to be enabled by *Rainville-Lonn*

to practice the recited features of the claimed invention. Moreover, there is nothing to suggest that when folded, the disclosed article of *Rainville-Lonn* would not form a permanent crease under recited pressure variables. Therefore, in view of the current amendments and foregoing remarks, Applicants respectfully request the Examiner to withdraw the instant rejection.

Claims 14 and 16-21 are not obvious in view of *Rainville-Lonn* and *Mason*

Claims 14 and 16-21 stand rejected under 35 U.S.C. § 103 in view of *Rainville-Lonn* and further in view of *Mason*. As discussed above, the rejection has been obviated by appropriate amendment. Independent claims 10, 16, and 22 include an absorbent core including a packaging component. Furthermore, as discussed above, neither references teaches or suggests, nor do they enable, to one of skill in the art that they disclosed articles would withstand the recited pressure tests without forming a permanent crease. Therefore, Applicants respectfully request this rejection be withdrawn.

Claims 15 and 22-24 are not obvious in view of *Rainville-Lonn*, *Mason*, and *Tanzer*

Claims 14 and 16-21 stand rejected under 35 U.S.C. § 103 in view of *Rainville-Lonn* and *Mason*, and further in view of *Tanzer*. As discussed above, the rejection has been obviated by appropriate amendment. Independent claims 10, 16, and 22 include an absorbent core including a packaging component. *Rainville-Lonn* and *Mason* do not teach or suggest each and every feature of the recited claims. *Tanzer* does not remedy these deficiencies. Specifically, *Tanzer* does not teach or suggest the use of an activating member to create independent movement of a folded article from a folded to an unfolded condition or the use of a packaging component with the disclosed article. *Tanzer* does not disclose a folded article at all, but rather a diaper, presumably not packaged in individual wrappers. Therefore, it would not have been obvious to one of skill in the art to combine the cited references to create the claimed invention. In addition, even if combined, the references do not teach or suggest each and every element of the claimed invention. Applicants respectfully request this rejection be withdrawn.

SUMMARY

Claims 10-24, as amended, are now in condition for allowance. Applicants respectfully request the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Amanda M. Miller", written over a horizontal line.

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